

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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DIANA H. MALEC,

Plaintiff,

v.

ORDER  
03-CV-969A

METROPOLITAN LIFE INSURANCE CO.,  
INC., d/b/a METLIFE and  
ROCCO CAPOBIANCO,

Defendants.

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Plaintiff brought this action against defendants Metropolitan Life Insurance Company, Inc. and Rocco Capobianco alleging violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, the New York State Human Rights Law, the Equal Pay Act, 29 U.S.C. § 206, and various sections of the New York State Labor Law. This case was referred to Magistrate Judge Hugh B. Scott pursuant to 28 U.S.C. § 636(b)(1).

On October 6, 2005, the defendants filed a motion for summary judgment. Plaintiff filed a response in opposition to the motion. On September 8, 2006, Magistrate Judge Scott issued a Report and Recommendation recommending that the defendants' motion for summary judgment be granted in its entirety.

The plaintiff filed objections to Magistrate Judge Scott's Report and

Recommendation and the defendants filed a response. On January 12, 2007, the Court heard oral argument on the objections.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a de novo determination of those portions of the Report and Recommendation and Order to which objections have been made. Upon de novo review and after hearing arguments of counsel, the Court hereby denies plaintiff's objections and adopts Magistrate Judge Scott's Report and Recommendation in full. Accordingly, for the reasons stated by Magistrate Judge Scott, the defendants' motion for summary judgment is granted in its entirety. The Clerk of the Court is directed to enter judgment in favor of the defendants and to take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara  
HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: March 30 , 2007